

House State & Local Government Committee Amendment No. 1

Amendment No. 1 to HB0571

Jones U (Shel)
Signature of Sponsor

FILED

Date _____

Time _____

Clerk _____

Comm. Amdt. _____

AMEND Senate Bill No. 830

House Bill No. 571*

by deleting all language after the enacting clause and by substituting instead the following:

SECTION 1. Tennessee Code Annotated, Title 55, Chapter 10, Part 2, is amended by adding the following language as a new, appropriately designated section:

Section 55-10-209.

(a) In addition to authorizing volunteer enforcement of disabled parking laws and ordinances pursuant to and in the manner authorized by §55-21-110, except any county having a population in excess of eight hundred thousand (800,000) or any county having a metropolitan form of government with a population in excess of five hundred thousand (500,000), according to the 1990 federal census or any subsequent federal census, a law enforcement agency authorized to enforce parking laws may appoint a volunteer to issue a citation for all other violations of local ordinances or resolutions, governing parking of a motor vehicle, pursuant to the following provisions:

(1) A volunteer appointed under this section shall be a resident of the city, county or metropolitan government in which the volunteer program operates. The volunteer program shall be open to any person twenty-one (21) years of age and older,

(2) Any agency appointing a volunteer shall provide training before authorizing a volunteer to issue citations; and

(3) A citation issued by a volunteer appointed under this section shall have the same force and effect as a citation issued by a law enforcement officer for the same offense.

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(b) Notwithstanding any provision of law to the contrary, any county, municipality or metropolitan government may establish a special enforcement unit for the sole purpose of providing adequate enforcement of state laws, and local ordinances and resolutions, governing the parking of motor vehicles, pursuant to the following provisions:

(1) A city, county, or metropolitan government may establish recruitment and employment guidelines;

(2) A member of the special enforcement unit may issue a notice of a parking violation under any state laws and local ordinances, relative to the parking of motor vehicles. A member of the special enforcement unit shall not be considered to be a law enforcement officer and shall not make an arrest in the course of the member's official duties, but shall wear a distinctive piece of clothing such as a jacket, shirt, vest and/or hat with a law enforcement insignia together with a badge while on duty. The local authority or administering agency may issue a communication device such as a police radio, citizens band radio, or cellular telephone to each member of the special enforcement unit for use while on duty;

(3) A city, county, or metropolitan government may pay the cost of uniforms and badges for the special enforcement unit, and may provide daily cleaning of the uniforms;

(4) A member of the special enforcement unit may be paid an hourly wage without the benefits provided other permanent and

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temporary employees, but is entitled to applicable workers' compensation benefits as provided by law. Insurance provided by the city, county, or metropolitan government for disability or liability of a member of the special enforcement unit shall be the same as for other employees performing similar duties; and

(5) Nothing in this section shall be construed to preclude a city, county, or metropolitan government from using regular full-time employees to enforce ordinances or resolutions adopted pursuant to such ordinances or resolutions.

(c) The provisions of this section shall only apply in a county, municipality or metropolitan government, unless such county has been excluded under the provisions of subsection (a), which adopts the provisions of this section by a two-thirds (2/3) vote of the legislative body of such county, municipality or metropolitan government.

SECTION 2. This act shall take effect July 1, 2001, the public welfare requiring it.